

HOW TO GET A CHILD CARE LICENSE

BEFORE YOU MAY OPEN A CHILD CARE FACILITY, YOU MUST HAVE A TEMPORARY LICENSE.

Please note that the licensing process may take **90 days or longer** to complete. In addition, you **may not** begin operation before you receive a temporary license.

DO YOU NEED A LICENSE?

A license is required if you care for six or more children less than thirteen years of age, for any part of the twenty-four- hour day, who are not related (children, grandchildren, great-grandchildren, brothers/sisters, nieces/nephews) to you. This includes day care centers, day nurseries, and any other facilities that fall within the scope of the above description. A few exemptions are listed on the attached sheet.

To obtain a license application packet, send a written request along with a check or money order for \$10.00 (Payable to Mississippi State Department of Health) to the Child Care Facilities Licensure Division, PO Box 1700, Jackson, MS 39215. The application packet contains a copy of the *Regulations Governing the Licensure of Child Care Facilities* and all forms necessary to apply for a license.

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EXEMPTIONS FROM LICENSURE:

- A. Child Care facilities which operate for no more than two (2) days a week and whose primary purpose is to provide respite for the caregiver or temporary care during other scheduled or related activities.
- B. Organized programs that operate for three (3) or less weeks per year such as but not limited to vacation bible schools and scout day camps.
- C. Any child residential home as defined in and in compliance with the provisions of Section 43-16-3 (b) et seq., Mississippi Code of 1972.
- D. Any program in an elementary (including kindergarten) and/or secondary school system accredited by the Mississippi State Department of Education, the Southern Association of Colleges and Schools, The Mississippi Private School Association, the American Association of Christian Schools, the Association of Christian Schools International, or a school affiliated with Accelerated Christian Education, Inc. This includes accredited pre-K3 and pre-K4 Programs. Programs serving children less than three (3) years of age must be licensed.
- E. Any Head Start program operating in conjunction with an elementary school system, whether it is public, private, or parochial, whose primary purpose is a structured school or school readiness program. This includes Head Start pre-K3 and pre-K4 programs. Head Start programs serving children less than three (3) years of age must be licensed.
- F. Any family child care home defined in Mississippi Code Section 43-20-53 (a) et seq. To wit: An occupied residence in which shelter and personal care is regularly provided for five (5) or fewer children who are not related within the third degree computed according to the civil law to the provider and who are under 13 years of age and are provided care for any part of the twenty-four hour day. These homes may be voluntarily registered with the Mississippi State Department of Health.
- G. Any membership organization affiliated with a national organization which charges only a nominal annual membership fee, does not receive monthly, weekly, or daily payments for services, and is certified by its national association as complying with the association's minimum standards and procedures, including, but not limited to, the Boys and Girls Club of America, and the YMCA. A nominal fee is defined as \$50 or less per calendar year.

If you have questions regarding exemptions, contact the Child Care Facilities Licensure Division at 601-364-2827.

DO I QUALIFY FOR A LICENSE?

Before a temporary license can be issued, a center must have a qualified director to operate it. To be deemed qualified, the director must:

1. Be at least twenty-one years of age,
2. Pass all fingerprint and Child Abuse Central Registry checks, and
3. Meet one of the following education and/or experience requirements:
 - A. Have a bachelor's degree in early childhood education, child development, elementary education, child care, special education, psychology (with emphasis on child psychology) or family and consumer sciences (with emphasis on child development);
OR
 - B. Have a two year associate degree from an accredited community or junior college in child development technology which must include a minimum of 480 hours of practical training supervised by college instructors in a college operated child care learning laboratory;
OR
 - C. Have a two year associate degree from an accredited community or junior college in child development technology or child care and two (2) years paid experience in a licensed child care facility;
OR
 - D. Have a current Child Development Associate (CDA) credential from the Council for Early Childhood Professional Recognition (CECPR) with two (2) years paid experience as a caregiver in a licensed child care facility, or a Mississippi Department of Human Services (MDHS) Office for Children and Youth (OCY) Director's Child Care Credential with two (2) years paid experience as a caregiver in a licensed child care facility, or 24 semester hours credit with a grade of "C" or better from an accredited college or university in courses specific to early childhood with two (2) years of paid experience as a caregiver in a licensed child care facility. Any college course(s) submitted for consideration are subject to approval by the licensing authority.
OR
 - E. Have a verified certificate from the licensing agency certifying that the individual was qualified to be the director of a licensed child care facility prior to January 1, 2000, in the State of Mississippi.

If you do not meet any of the above requirements, you must hire a **qualified** director to run your center.

WHAT SHOULD YOU LOOK FOR IN A PROSPECTIVE FACILITY (BUILDING AND PLAYGROUND)?

The following items must be evaluated:

1. Zoning approval and, if required by the local city/county government, a building inspection/certificate of occupancy.
2. Proposed facility must meet all fire safety standards listed on MSDH Form #333, Uniform Fire Safety Survey and any additional local fire codes.
3. Wastewater disposal and potable (drinking) water approval is required if the proposed facility is on an individual wastewater disposal system and/or well.
4. Playground area (at least 75 square feet per child in a fenced in playground) must be well drained and free of hazardous or potentially hazardous conditions. All playgrounds must be tested for lead. See attached information on lead testing.
5. Building: If the building was constructed before 1965, it must be tested for lead. See attached information on lead testing.
 - A. Ground floor space.
 - B. Two remote exits that must open outward and cannot be through the kitchen.
 - C. Forty square feet per child in infant areas (less than 12 months of age). Forty-five square feet per child (12 months but less than 24 months). Thirty-five square feet per child for all others. ***Kitchen space, bathrooms, hallways, closets, etc. do not count as usable floor space.***
 - D. One toilet and one lavatory for every fifteen children or portion thereof, not counting diaper changing lavatories. All lavatories must have hot and cold running water.
 - E. All rooms occupied by diaper wearing children must have a diaper changing area, in the room that includes a lavatory with hot and cold running water.
 - F. Kitchen requirements:
 1. Minimum required size of 90 square feet, maximum required size of 300 square feet.
 2. A hand-washing lavatory.
 3. A three-compartment sink or commercial dishwasher. (Certain exemptions exist for centers serving 12 or fewer in a person's home.)

If you are planning to build a new facility or renovate an existing building, it is required that you have your blueprints/plans reviewed by your licensing official before construction. This will save you time and money.

These are only a few of the basic requirements. Inspections by your local health department and fire department are required on all potential child care facilities. Some cities may also require an inspection by the city building inspector.

CHECK LIST FOR OBTAINING A CHILD CARE FACILITY LICENSE

Before you may begin operation of a child care facility, you must have a temporary license. Complete the following steps to get a **TEMPORARY LICENSE**:

1. Obtain a license application packet by sending a written request along with a check or money order for \$10.00 (payable to the Mississippi State Department of Health) to the Child Care Facilities Licensure Division, PO Box 1700, Jackson, MS 39215. The application packet contains a copy of the *Regulations Governing the Licensure of Child Care Facilities* and all forms necessary to apply for a license. The licensing official can answer any questions you may have about the licensing process or the regulations.
2. Review and study the *REGULATIONS GOVERNING LICENSURE OF CHILD CARE FACILITIES*. Make notes about anything in the regulations that you would like explained.
3. **SUBMIT A CHILD CARE FACILITY LICENSE APPLICATION AND \$100.00 NON-REFUNDABLE APPLICATION FEE TO YOUR LOCAL LICENSING OFFICIAL.** Note: The licensing process will not begin and no inspections will be conducted until the initial application and fee are received by the licensing official.
4. Before a Temporary License is issued and the facility allowed to start operation, the following items must be submitted to and/or verified by the licensing authority, i.e., Mississippi State Department of Health:
 - a. License Application and \$100.00 application fee.
 - b. License fee - the amount of fee is determined by the licensed capacity of the facility. (See Application)
 - c. A qualified director.
 - d. "Letter of Suitability for Employment" for every employee or volunteer, as appropriate who is scheduled to begin work when the facility starts operation. The "Letter of Suitability for Employment" issued by the Mississippi State Department of Health verifies that a criminal records check, sex offender registry, and child abuse central registry check has been conducted on an individual.
 - e. An MSDH Immunization Form #121 for every employee or volunteer who is to begin work when the facility starts operation and/or have documentation indicating that they comply with the immunization requirements of the Mississippi State Department of Health.
 - f. Valid MSDH Fire Inspection Form #333.
 - g. Verification of passing food manager training, e.g., ServSafe® or TummySafe®, or equivalent, if applicable.

NOTE: For information on ServSafe® or TummySafe®, contact the Mississippi State University Extension Service at -http://msucare.com/health/food_safety/servsafecal.htm. In addition, the Mississippi Restaurant Association also provides ServSafe® training, and they can be contacted at - www.msra.org.
 - h. Wastewater disposal approval.
 - i. Potable water source approval - drinking water.
 - j. Zoning approval.

- k. Lead Testing approval.
 - i. Playground – All playgrounds must be tested for lead. See attached information on lead testing.
 - ii. Building – If the building was constructed before 1965, it must be tested for lead. See attached information on lead testing.
- l. Adult, Child, and Infant CPR and First Aid certification as required for a person or persons who will be present at the facility during all hours of operation.
- m. Approved Child Care Menu Evaluation Form #290 - if applicable.
- n. Floor Plan.
- o. MSDH Maximum Capacity Worksheet (Form #28).
- p. MSDH Child Care Facility Inspection Report (Form #281).
- q. MSDH Child Care Facility Data Sheet (Form #286).
- r. MSDH Food Service Inspection (Form #301-302) - if applicable.
- s. Daily Schedule of Activities - developed by provider.
- t. Arrival and Departure Procedures - developed by provider.
- u. Emergency Policy – developed by provider.
- v. Verification of Two Emergency Relocation Sites – developed by provider.
 - i. One site must be a minimum of one mile distant from the facility.
 - ii. One site must be a minimum of five miles distant from the facility.
- w. Transportation Policy – not required if facility does not transport children.

NOTE: An emergency transportation policy is required even if the facility does not plan to transport children. An emergency transportation policy shall encompass such events as emergency evacuation of the facility and emergency transporting of a child to receive medical attention.
- x. Proof of Vehicle Insurance – not required if facility does not transport children.
- y. Verification, in writing, that the operator has or does not have accident/liability insurance covering the business.
- z. Verification, in writing, that the operator has or does not have accident/liability insurance covering the children enrolled at the facility.
- aa. Discipline Policy – developed by the provider.

NOTE: The discipline policy developed by the provider shall not allow any of the prohibited behaviors listed in Section 113 of the regulations.

bb. Verification that the owner/operator and director have completed mandatory training on:

- i. *Regulations Governing Licensure of Child Care Facilities.*
- ii. Directors Orientation.
- iii. Playground Safety.

Contact the Mississippi State Department of Health, Child Care Facilities Licensure Division at 601-364-2827 for more information on the availability and location of the above referenced training.

After all necessary forms have been received, reviewed, and approved; a **TEMPORARY** license will be issued. Only when you have received the temporary license **from your licensing official** may you begin operation of your center.

The temporary license is valid for a period not to exceed six months and must be upgraded to a **REGULAR LICENSE** during that time.

At the time you receive your temporary license, you will be notified regarding additional items required to upgrade to a regular license. Your licensing official will be pleased to discuss the items and assist you as needed.

REMEMBER, A CHILD CARE FACILITY CANNOT BEGIN OPERATION UNTIL A LICENSE IS APPROVED AND ISSUED BY THE MISSISSIPPI STATE DEPARTMENT OF HEALTH.

BE SURE TO MAKE AND KEEP COPIES OF ALL INSPECTION FORMS AND MATERIAL YOU SUBMIT. IF MATERIAL IS LOST AND YOU DO NOT HAVE A COPY, THE INSPECTIONS WILL HAVE TO BE CONDUCTED AGAIN.

Remember: **THE LICENSING PROCESS MAY TAKE 90 DAYS OR LONGER TO COMPLETE**

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OTHER RESOURCES

MSDH Web Site:

www.HealthyMS.com - in the “Regulation and Licensure” section of the web site under “Facilities Regulation” in the “Child Care” area, you will find a list of documents concerning child care in Mississippi including the *Regulations Governing Licensure of Child Care Facilities*.

Mississippi Child Care Resource and Referral Network (MSCCR&RN)

Mississippi State University www.childcaremississippi.org - 1-662-325-4129

CDA (Child Development Associate) Credential Sources:

- A. Council for Early Childhood Professional Recognition 1-800-424-4310
- B. Mississippi Child Care Resource and Referral Network (MS State Univ.) 662-325-4129

OCY (Office of Children & Youth/ Dept. of Human Services) Director Credential

Contact: Stephanie Stewart, Program Coordinator
737 North State Street
Jackson, MS 39202
Phone: (601) 355-4911 Fax: (601) 355-4813 Email: stephv@meta3.net

Possible Funding Sources:

USDA Food Program (601) 354-7549

CHILD CARE FACILITY LEAD TESTING

Lead Testing For Playground Soil – Procedure

A test for lead in the playground soil is required once for all facilities.

- Collect small samples from 3 or 4 locations around the playground with a clean plastic spoon and combine them in a **plastic** bucket. (Metal buckets can affect the results.)
- Mix samples thoroughly in the bucket.
- Place approximately one (1) pint of soil in a plastic bag. (Ziploc)
- **If your building was constructed before 1965**, it is recommended that a composite soil sample (not more than five (5) samples) also be collected from the roof drip line, especially in areas where people walk. Before taking these samples, remove any old paint chips present. (Removing old paint chips is recommended even if no samples are taken in this area.)

*We currently have information and instructions for the two testing facilities listed below. You may choose either option or use another **certified** testing facility.*

Ms State Chemical Lab

Ship the soil sample, along with return name, address, and telephone number to:

Ms State Chemical Lab
Box CR
Ms State, MS 39762

Please note: The Chemical Lab will run the sample and send the results back to the child care facility. The cost is \$45 per sample. Send your payment (check or money order) in with your sample or you may pay by credit card. **Contact Helen Breland at 662-325-3428 for more information.**

EHS/BTS Laboratories

Web site is www.btslabs.com Phone number is 1-800-347-4010. Fax number is 804-275-4907. Open 8-5 Eastern Time.

Address: BTS Laboratories, 7467 Whitepine Road, Richmond, VA 23237

Price is \$8.00 for a soil sample with a 3-day turnaround time, \$9.00 for a 2-day turnaround time and \$25.00 for next day (if sample is mailed to the lab overnight.) Contact company to obtain instructions.

Lead Testing For Facility

A test for lead in the facility is required only for buildings constructed before 1965.

- Document the year your facility was constructed. If it was built **before 1965**, you must have a **lead hazard screen** or **lead-based paint risk assessment** done by an individual or company certified as a **Risk Assessor** by the Mississippi Commission on Environmental Quality.
- For a current list of these individuals or companies, please contact Virginia Rickels at (601) 961-5777. You may also contact her by Email at virginia_rickels@deq.state.ms.us.

**** IMPORTANT NOTICE ****

All checks/money orders must be payable to the *Mississippi State Department of Health* on the “Pay to the Order of” line. Those that are incorrect will be returned to the originator. If your check/money order is returned, this may delay the issuance of your license. There is a \$50 charge on all checks returned for insufficient funds.

Points to remember:

All checks/money orders must be made payable to the **Mississippi State Department of Health** only. Do not include child care licensure on the “Pay to the order of” line.

- A. Checks/money orders must be dated.
- B. Checks/money orders must **NOT** be post dated.
- C. Checks/money orders must be signed.
- D. The numerical amount of the check must match the written amount.
- E. A brief description should be noted on the “FOR” line explaining the reason for the check being written, e.g., license application packet, etc.
- F. Do not use eraser or liquid paper.
- G. If a mistake is made while completing the check/money order, do not attempt to correct it by writing over the numbers or words.

NOTE: Checks returned for insufficient funds may result in a delay in issuing your license. If your license has already been issued, a bad check may result in your license being suspended or revoked.

There is a \$50 charge for all checks returned for insufficient funds.